

**SUPREME COURT MINUTES  
THURSDAY, APRIL 14, 2011  
SAN FRANCISCO, CALIFORNIA**

**S042346****PEOPLE v. JONES (BRYAN  
MAURICE)**

Extension of time denied

The twenty-eighth “Application for Extension of Time to File Appellant’s Reply Brief” is denied.

**S058019****PEOPLE v. CONTRERAS  
(GEORGE LOPEZ)**

Extension of time granted

Good cause appearing, and based upon Supervising Deputy State Public Defender Denise Anton’s representation that she anticipates filing the appellant’s reply brief by July 29, 2011, counsel’s request for an extension of time in which to file that brief is granted to June 17, 2011. After that date, only one further extension totaling about 45 additional days is contemplated.

**S140795****PEOPLE v. ESPINOZA  
(JOHNNY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant’s opening brief is extended to July 1, 2011.

**S176494****JENKINS (DANIEL STEVEN)  
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Michael R. Snedeker’s representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 1, 2011, counsel’s request for an extension of time in which to file that document is granted to June 20, 2011. After that date, only one further extension totaling about 10 additional days is contemplated.

**S191449****TULLY (RICHARD) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Margo J. Yu’s representation that she anticipates filing the informal response to the petition for writ of habeas corpus by

March 1, 2012, counsel's request for an extension of time in which to file that document is granted to June 17, 2011. After that date, only five further extensions totaling about 260 additional days are contemplated.

**S179730**      C059288 Third Appellate District

**PEOPLE v. BRANNER  
(JASPER DWIGHT)**

Counsel appointment order filed

The order filed on April 22, 2010, appointing the Central California Appellate Program as counsel of record for appellant is hereby vacated.

Cheryl Rae Anderson is hereby appointed to represent appellant on the appeal now pending in this court effective April 18, 2011.

**S181808**      F057533 Fifth Appellate District

**PEOPLE v. RODRIGUEZ  
(JOSE LUIS)**

Counsel appointment order filed

The order filed on July 1, 2010, appointing the Central California Appellate Program as counsel of record for appellant is hereby vacated.

Cheryl Rae Anderson is hereby appointed to represent appellant on the appeal now pending in this court effective April 18, 2011.

**S187135**      C059440 Third Appellate District

**PEOPLE v. JONES, SR.,  
(CHRISTOPHER ALLEN)**

Counsel appointment order filed

The order filed on March 11, 2011, appointing the Central California Appellate Program as counsel of record for appellant is hereby vacated.

Cheryl Rae Anderson is hereby appointed to represent appellant on the appeal now pending in this court effective April 18, 2011.

**S037302**

**PEOPLE v. HINTON (ERIC  
LAMONT)**

Order filed

The "Application for Release of Files, Records and Any Confidential Materials," filed on January 31, 2011, is granted.

The Federal Public Defender is granted access to all of the records in this court relating to *People v. Eric Lamont Hinton* (S037302), including all confidential and sealed materials.

The Federal Public Defender is granted access to all of the records in this court relating to *In re Eric Lamont Hinton on Habeas Corpus* (S125276), including all of the confidential and sealed materials.

The Federal Public Defender must supply the personnel and equipment necessary to undertake the

review and copying of these records, which must occur on the court's premises.

It is ordered that the Federal Public Defender not release or cause to be released any of the confidential or sealed materials, or the information contained therein. If counsel wishes to disclose the contents of sealed materials in any pleading, those pleadings must be filed under seal, for which permission must be sought under California Rules of Court, rule 8.46.

**S191899** C067233 Third Appellate District

**NEWLANDS (JOAN) v.  
WORKERS'  
COMPENSATION APPEALS  
BOARD (MARRIOTT  
VACATION  
INTERNATIONAL)**

Order filed

The application of petitioner filed April 4, 2011, for permission to file an oversized petition for review is denied.

**S190322**

**JENSEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that BRADLEY LYNN JENSEN, State Bar Number 182272, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. BRADLEY LYNN JENSEN is suspended from the practice of law for the first 30 days of probation;
2. BRADLEY LYNN JENSEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 6, 2010; and
3. At the expiration of the period of probation, if BRADLEY LYNN JENSEN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

BRADLEY LYNN JENSEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190323**

**CONDON ON DISCIPLINE**

Recommended discipline imposed

The court orders that PATRICK BARNES CONDON, State Bar Number 144012, is suspended

from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. PATRICK BARNES CONDON must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 20, 2010; and
2. At the expiration of the period of probation, if PATRICK BARNES CONDON has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

PATRICK BARNES CONDON must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190324****HORWITZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that ERROL IVOR HORWITZ, State Bar Number 86098, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ERROL IVOR HORWITZ is suspended from the practice of law for the first 30 days of probation;
2. ERROL IVOR HORWITZ must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 7, 2010; and
3. At the expiration of the period of probation, if ERROL IVOR HORWITZ has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ERROL IVOR HORWITZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190326****COLEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARC STEVEN COLEN, State Bar Number 108275, is suspended from the practice of law in California for 18 months, execution of that period of suspension is stayed,

and he is placed on probation for three years subject to the following conditions:

1. MARC STEVEN COLEN is suspended from the practice of law for the first 30 days of probation;
2. MARC STEVEN COLEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 21, 2010; and
3. At the expiration of the period of probation, if MARC STEVEN COLEN has complied with all conditions of probation, the 18-month period of stayed suspension will be satisfied and that suspension will be terminated.

MARC STEVEN COLEN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190327****BROWN ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that DANIEL SCOTT BROWN, State Bar Number 158025, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

DANIEL SCOTT BROWN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190328****MORGENSTERN ON  
DISCIPLINE**

Recommended discipline imposed

The court orders that JORDAN RICHARD MORGENSTERN, State Bar Number 134046, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. JORDAN RICHARD MORGENSTERN must comply with the conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 16, 2010; and
2. At the expiration of the period of probation, if JORDAN RICHARD MORGENSTERN has complied with the terms of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

JORDAN RICHARD MORGENSTERN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).) Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190329****CLARK ON DISCIPLINE**

Recommended discipline imposed

The court orders that DIDDO RUTH CLARK, State Bar Number 79876, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. DIDDO RUTH CLARK is suspended from the practice of law for the first 30 days of probation;
2. DIDDO RUTH CLARK must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 29, 2010; and
3. At the expiration of the period of probation, if DIDDO RUTH CLARK has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DIDDO RUTH CLARK must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2012 and 2013. If DIDDO RUTH CLARK fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S190331****CLAUSEN ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARK TODD CLAUSEN, State Bar Number 196721, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MARK TODD CLAUSEN is suspended from the practice of law for the first 30 days of probation;
2. MARK TODD CLAUSEN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving

Stipulation filed on November 29, 2010; and

3. At the expiration of the period of probation, if MARK TODD CLAUSEN has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190332****MURRAY ON DISCIPLINE**

Recommended discipline imposed

The court orders that JAMES J. MURRAY, State Bar Number 66952, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. JAMES J. MURRAY is suspended from the practice of law for the first six months of probation. The period of actual suspension will run consecutively to that imposed in State Bar Court case nos. 05-O-03820 (06-O-14375);
2. JAMES J. MURRAY must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 20, 2010; and
3. At the expiration of the period of probation, if JAMES J. MURRAY has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190336****NOE ON DISCIPLINE**

Recommended discipline imposed

The court orders that EDEN BELOVED NOE, State Bar Number 236172, is suspended from the practice of law in California for four years, execution of that period of suspension is stayed, and she is placed on probation for four years subject to the following conditions:

1. EDEN BELOVED NOE is suspended from the practice of law for a minimum of the first 30 months of probation, and she will remain suspended until the following requirements are satisfied:
  - i. She must provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. EDEN BELOVED NOE must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 21, 2010.

3. At the expiration of the period of probation, if EDEN BELOVED NOE has complied with all conditions of probation, the four-year period of stayed suspension will be satisfied and that suspension will be terminated.

EDEN BELOVED NOE must also take and pass the Multistate Professional Responsibility Examination during the period of her suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

EDEN BELOVED NOE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2012 and 2013. If EDEN BELOVED NOE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S190338****OKA ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARCELLA CANDICE OKA, State Bar Number 192571, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. MARCELLA CANDICE OKA is suspended from the practice of law for the first 60 days of probation;
2. MARCELLA CANDICE OKA must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 21, 2010; and
3. At the expiration of the period of probation, if MARCELLA CANDICE OKA has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARCELLA CANDICE OKA must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190341****PAGKAS ON DISCIPLINE**

Recommended discipline imposed



The court orders that ANTHONY EMMANUEL PAGKAS, State Bar Number 186112, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. ANTHONY EMMANUEL PAGKAS is suspended from the practice of law for the first 30 days of probation;
2. ANTHONY EMMANUEL PAGKAS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on December 2, 2010; and
3. At the expiration of the period of probation, if ANTHONY EMMANUEL PAGKAS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

ANTHONY EMMANUEL PAGKAS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**S190343****WAGNER ON DISCIPLINE**

Recommended discipline imposed

The court orders that DANIEL ISAAC WAGNER, State Bar Number 195610, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DANIEL ISAAC WAGNER is suspended from the practice of law for the first 90 days of probation;
2. DANIEL ISAAC WAGNER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on December 17, 2010; and
3. At the expiration of the period of probation, if DANIEL ISAAC WAGNER has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DANIEL ISAAC WAGNER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in an automatic suspension. (Cal. Rules of Court, rule 9.10(b).)

DANIEL ISAAC WAGNER must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2012 and 2013. If DANIEL ISAAC WAGNER fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

**S190344****WHITE ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that RICHARD ALLAN WHITE, State Bar Number 78566, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

RICHARD ALLAN WHITE must make restitution as recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on November 30, 2010. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

RICHARD ALLAN WHITE must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

